

PHILLIP A. TALBERT
United States Attorney
LAUREL J. MONTOYA
Assistant United States Attorney
Robert E. Coyle Federal Courthouse
2500 Tulare Street
Fresno, CA 93721
(559) 497-4000

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

GABRIEL MATA,

Defendant.

CASE NO. 1:23-CR-00053-JLT-SKO

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: August 16, 2023
TIME: 1 p.m.
COURT: Hon. Sheila K. Oberto

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 16, 2023.
2. By this stipulation, defendant and government now move to set the matter for a change of plea hearing on September 5, 2023, at 10:00 a.m. and to exclude time between August 16, 2023, and September 5, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has provided initial discovery and is looking into whether there is supplemental discovery that needs to be received for production.
 - b) The defendant wishes to plead guilty without a plea agreement.
 - c) The defendant agrees and stipulates that time should be excluded for the

1 aforementioned reasons.

2 d) Counsel for defendant believes that failure to grant the above-requested
3 continuance would deny him/her the reasonable time necessary for effective preparation, taking
4 into account the exercise of due diligence.

5 e) Based on the above-stated findings, the ends of justice served by continuing the
6 case as requested outweigh the interest of the public and the defendants in a trial within the
7 original date prescribed by the Speedy Trial Act.

8 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
9 et seq., within which trial must commence, the time period of August 16, 2023 to September 5,
10 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
11 T4] because it results from a continuance granted by the Court at defendant's request on the basis
12 of the Court's finding that the ends of justice served by taking such action outweigh the best
13 interest of the public and the defendant in a speedy trial.

14 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
15 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
16 must commence.

17 IT IS SO STIPULATED.

18 Dated: August 7, 2023

PHILLIP A. TALBERT
United States Attorney

20 /s/ LAUREL J. MONTOYA
21 LAUREL J. MONTOYA
22 Assistant United States Attorney

23
24 **[Remainder of this page intentionally left blank.]**
25
26
27
28

1 Dated: August 7, 2023

/s/ GRIFFIN ESTES

2 GRIFFIN ESTES

3 Counsel for Defendant

GABRIEL MATA

4 **ORDER**

5 IT IS SO ORDERED.

6
7
8 DATED: 8/8/2023

Sheila K. Oberto

9 THE HONORABLE SHEILA K. OBERTO
10 UNITED STATES MAGISTRATE JUDGE
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28